

**DISTRICT VI ADVISORY BOARD
MEETING MINUTES
REVISED**

**Monday
April 5, 2004
7:00 p.m.**

**Evergreen Recreation Center
2700 N. Woodland
Lounge Clubroom**

The District VI Advisory Board Meeting was held at 7:00 P.M. at Evergreen Recreation club lounge room. In attendance were the District VI City Council Member, ten (10) District Advisory Board Members, ten (10) city staff, and (56) citizens. Approximately 76 individuals were in attendance.

Members Present

Paul Daemen
Rosalie Bradley
Jaya Escobar
Dick Rumsey
Maurine Willis
Bickley Foster
Bob Schreck
Rick Shellenbarger
Rob Johnson-alternate
John Guthridge- alternate

Member Absent

Annie Best
Sandra Whittington
Bob Wine

Guests

Listed at the end

Staff

Listed at the end

Council Member Fearey called the meeting to order at 7:07 p.m. and welcomed guests. DAB members were asked to introduce themselves and state their representation on the board.

Approval of Minutes

- **Approval of Minutes for Feb. 2, 2004** were approved as submitted (**Foster/Johnson 10-0**)
- **Approvals of Minutes for Feb. 18, 2004** were approved with the following amendments: Annie Best was noted as absent but was present and the meeting was held at 6:00 p.m. and not 7:00 p.m. as stated. (**Foster/Johnson 10-0**)
- **Approvals of Minutes for March 1, 2004** were approved as submitted. (**Bradley/Johnson 10-0**)
- **Approval of Minutes for March 17, 2004** were approved with the following amendments: The Action taken on planning case ZON2004-00006 read 9-0, 1 abstains but should be 10-0, 1 abstains and the meeting was held at 6:00 p.m. and not 7:00 p.m. as stated. **Foster/Johnson 10-0**)

Approval of Agenda

The agenda was approved with the following amendments: Item 5 Update on Portable Storage Containers will be delayed until May meeting due to the heavy agenda we have tonight. (**Schreck/Daemen 10-0**)

Public Agenda

No members of the public requested to speak.

STAFF PRESENTATIONS

1. Community Police Report

Patrol North-Officer Franco, 48 Beat coordinator, gave brief reports on issues the community police officers in District VI are currently working on. *Officer Morris*, 49 Beat, is working with Pleasant Valley Middle School students to arrange for a neighborhood clean up to take place soon. The students have participated in these clean-ups several times in the past. *Officer Silva* is working on handing out flyers reminding citizens of the City's loud music ordinances due to the summer weather coming and many people driving with their car windows down. This is always a major complaint. Beats 48, 41, and 42 have lots of graffiti/vandalism taking place. We have made up a flyer and contacted businesses in the

district if they get customers buying spray paint need to be 18 or older to purchase the product. All the businesses were in agreement to do this except for a few. We hope this will help decrease the graffiti in the area. 42 Beat - *Officer Kimble* is working a Sting operation on prostitution. *Lt. Wanda Givens* was also present during the police presentation.

Patrol South-Officer Busher: Works in the Downtown area, which is part of District VI and was present to introduce herself and explain about a rash of burglaries that had been taking place. Due to business and community involvement the person committing these crimes was caught. *Busher* stated she also is working to take control of problems in clubs, homeless issues and abandoned vehicles. She invited the public to voice any other concerns at the next DAB meeting.

Council Member Fearey reminded members and the audience that neighborhood inspectors are present at Evergreen City Hall from 5-7 p.m. on the first DAB meeting of the month if you need to speak with them. Community Police are present on these days also from 6:00 p.m. until the DAB meeting begins.

***** **Action Taken:** Receive and file community police report.

2. **Mesa Verde, Community Economic Resource, Inc.**

Mark Stanberry, Housing Department, presented on the request for Resolution of Support for Application for Low-Income housing tax credits in connection with the development of a single-family residential housing project, to be submitted by Community Economic Resources, Inc. **Mr. Stanberry** explained that the City adopted an ordinance that requires all tax credit applications to be reviewed by all District Advisory Boards, the Housing Review Board, Development Coordinating Committee and Planning Commission before a final determination on support for the application is made by City Council.

Mr. Stanberry stated that only 20% of the housing units in this proposed development are required to be low-income housing and the remainder of the houses can be developed for market-rate clientele. This project is located at Meridian and 37th Street North and City Housing Staff believes that it will be beneficial because it creates mixed income housing neighborhoods and eliminates concentration of low-income housing in the City. The development will consist of a total of 47 homes to be built in two phases. During the first phase, the 24 homes, which will receive tax credits, will be built and in phase two of the project, the other 23 homes receiving no tax credits will be constructed. These houses will be offered for sale to residents after 15 years.

Mr. Sharad Doshi also spoke on this project. He stated the houses in the development will have three bedrooms, a two-car garage and an exercise facility for residents. There are three different designs for these houses and all houses will be built to City Code. The owners will do landscaping and yard care. The total cost of the project is estimated to be \$4 million. If you take this total cost and divide it by the total number of houses in the development, each house will have a value of about \$140-\$145,000. If approved, the tax credits will allow easier financing of this housing to allow cost savings to be passed onto the residents. If the resident decides to buy the house after 15 years, they will actually pay only 60% of the total cost. Of the first 24 homes built, five of these houses will have no restrictions, except to set a move-in date and buy after 15 years. The other 19 houses will have a rental fee based on resident income.

Mark Stanberry acknowledged that at a March 15, 2004 meeting to receive public input on this project, Sherwood Glen residents expressed the following concerns about this development (*responses are in italics*):

- The extension of water and sewer lines to this area will be at the public's expense because new infrastructure will have to be used to support increased water and sewer demand. *The City's Water and Sewer Department was consulted and stated that this would not be a problem because there is a lift station located at 37th and Porter to accommodate increased water and sewer needs.*

- Property values will decrease with this new development. *There has been no evidence to support that property values will decrease in this area due to a new low-income development.*
- There is a need to improve traffic access on Meridian. *A traffic report from Public Works states that Meridian is sufficient to sustain increased traffic that will be brought about by the new development. City Staff will recommend improved access on northeast side.*
- Concern on impact to public schools with increased children attending area schools. *USD 259 is required to educate all children in this area, and may need to rearrange to accommodate for additional students.*

Mr. Stanberry summarized the City's response to the above-mentioned concerns by stating that the Housing Services Department believes the proposed new development will have no abnormal impact on the neighborhood and the site is properly zoned for this type of development.

Member Willis stated the construction of the new Kwik Shop at 37th and Wormer has brought increased traffic to this area, so there is no safe east-west traffic access. She suggested placing a 3-way stop at the corner of 37th & Meridian, instead of the current 2-way stop.

Public Comments on this issue included the following (*responses are in italics*):

- There is no evidence to support this project will raise or lower property values. Increased traffic usually results in property devaluation.
- The housing development in Kansas City was in a low-income area. There are no other examples to show how successful this project will be in Wichita.
- What will happen with the 23 houses built in the second phase of the development? There is no guarantee that they will be maintained well. What if these houses are sold to someone who won't maintain the property? *There are special reserve funds that will be set aside to maintain these properties, as it is important to protect this investment in the future.*
- What will keep the project developer and SER Corporation, in business? *SER Corporation and the developer have been in business for over 30 years.*
- There are higher crime rates in subsidized rental property areas. *A distinction must be made between Section 8 and affordable housing. This project will be affordable housing and crime does not increase in this type of housing.*
- Is there a timetable for people in Meridian Gardens to hook up to the City sewer system? Who will pay for these assessments? *Except for this development, other area residential neighborhoods not already connected to the City's sewer system will not be required to do so at this time.*
- Other surrounding residential areas will bear the additional costs of this project. *The special assessments on this project are not known and will be determined by the City at a later date.*
- There are currently 78 houses in this area with one access road. The area cannot handle the traffic increase brought about by an additional 50 houses, especially with the increased traffic from the construction of the new Kwik Shop in the area. What traffic study was done to establish that additional traffic in this area can be supported? *A traffic study was completed, primarily keeping mind the safety of neighborhood residents.*
- This development does not take into account expanding family space needs.
- Residents pay \$168,000 for a house that cost \$60,000 to build. There is no benefit to the homebuyer. *If the house is valued at \$145,000, at 70% of its value after 15 years, the principle and interest will be four times more than originally without tax credits.*
- Why bring house designs for this development to exhibit when it is not certain what the house designs will ultimately look like? *These designs were created in order to comply with state mandate, to show what the development could potentially look like.*
- Who will incur the expense for additional students in the area schools as a result of the development? *It is presumed that 96% of school-aged children will live in this development will be from nearby neighborhoods and are already attending area schools*

- If the police-training academy re-locates and reverts back to a school, what will happen to the park? *If the police station is reverted back to a school, it will be expensive to remodel the building. The park is owned by the school district and is leased to the City. The leasing agreement will allow the park to remain open. There are currently no plans to remodel the police-training academy back into a school.*
- This development is a great opportunity for young families to own a home in an established community.
- The development location provides good access to the interstate, schools, etc.
- There is a decline in area business creating less traffic around 37th and Broadway.
- Who will pay \$140,00 for one of the houses in this rental community being built in phase 2 of this project that will not receive tax credits?
- Property owners pay school taxes, not renters
- How can a family that makes \$20- 30,000/year live in and maintain the house after it is bought in 15 years
- The surrounding residential neighborhoods, Sherwood Glenn and Meridian Gardens, are homeowner communities, not rental.
- Where is the cost for flood insurance factored into the price of this development? *The City mandates flood and tornado insurance be purchased for property where needed.*
- What disciplinary action will be taken if SER Corporation and the developer do not live up to the promises made for this project? *SER is a non-profit business in existence to help the community and wants to continue to stay in business, so it will fulfill the promises made.*
- Possible outsourcing of construction supplies since the developer is from outside the community. *The developer is a partner in community, not an outsider.*
- How many square feet will these houses be? How did you come up with projected values of these houses? *The houses will be 1350 square feet. Taking the total estimated project cost and dividing it by the total number of houses in the development estimated the value of houses.*

DAB members posed the following questions and comments on this matter: *(responses are in italics)* 1.) Are there other similar projects in this area? *This is the largest project of its kind in Kansas, other than a project in Kansas City* 2.) How will this development be managed? *There will be an on- site office with staff to manage the project* 3.) What is the possibility of re-selling this development to another company? *Under State and Federal guidelines, this development cannot be sold if tax credits are used to help finance this project.* 4.) Will the supplies to construct this development be purchased locally? *The contractors selected to build this project will decide where building supplies are purchased.* 5.) what are the success rates for these types of developments in other cities? *In Kansas City, houses around the development area have increased \$50- \$75, 000 in value.* 6.) where is the development located in KCK? *In the downtown area.* 7.) which amount is the correct rent amount stated in the agenda report? *The \$589 figure is correct.* 8.) how does a low-income individual qualify for this program? *A market study will be done to determine who qualifies to live in the low-income section of this development. Almost 96% of applicants will qualify. Background checks, credit checks and reference checks will be done on all potential residents.* 9.) what will be the impact of this project on the development at North Arkansas and 33rd? *The development at 33rd and North Arkansas are for individuals who are first time renters. This project is designed for first-time homebuyers.* 10.) which part of the development will be the first 24 houses (phase 1)? *This has not been decided yet and will be decided by the MAPC. However, these first phase houses will not be scattered throughout the development. They will be located near each other.* 11.) Will the streets in the development require paving? *Yes, paving will be required to City standards.* 12.) Will any other programs be offered in this development? *Programs, such as computer training classes, are an option, but are not currently planned for.* 13.) how will this information be presented to City Council? *City Council will be provided with input from the other required sources, along with the same information that this DAB has received. The City Council then determines whether to write a letter of support for the housing tax credit application to the State, who makes the final decision on whether to grant the tax credits. Without a letter of support from the City Council, it is difficult for this type of project to move forward.* 14.) who will pay the property taxes on

the houses in this development? *The homeowners will pay the property tax.* 15.) How does creating a gated housing development with non-speaking English residents enhance community diversity and engagement? *If desired, a member from each area neighborhood association can be appointed to the selection committee, which will choose residents for this development.* 16.) will the housing designs for each lot be altered to meet development challenges? *Yes, each housing design will be looked at and design adjustments will be made accordingly. The designs shown are only preliminary sketches created for State mandate purposes.* 17.) This DAB has no basis for an informed recommendation on this issue because there is a lot of information missing from the presentation. A housing market study, resident screening process and management/operational plan is requested by the Board to be presented by Staff. *City Staff can provide this information, but usually do not, as it is usually established that a project presented to the DAB has met basic City policy guidelines.* 18.) in favor of a mixed income community, but have to find a good location. The proposed location for this development is already densely populated and has heavy traffic flow

A motion was made to defer this item until the Board received the requested information from Staff. There was no second. Motion failed. **(Daemen)**

*******Action Taken:** The Board stated the proposed housing development appears to be two and one-half times the density of the neighbors and moves to make the motion to find the proposed project incompatible to the neighborhood. **(Foster/Willis, 9-0, 1 abstain - Guthridge, due to personal relationship with developer affiliations)**

Mr. Doshi asked the Board if they would support this project if only phase I of the development was completed? **Member Foster** stated that this Board has reviewed the set of facts already established in the original proposal and to proceed with only the first phase of this project would be cost ineffective.

3. **Proposed 24th Street vacation between Woodland and Salina**

Dale Miller, MAPD, made a brief presentation on the proposed vacation of 24th Street between Woodland and Salina. Staff wants to determine if there is continued interest in vacating the street by hearing public comment.

Mr. Miller stated when 24th Street was built in 1953, the approved plat did not include the two blocks of Woodland and Salina. In 1957, the City condemned these two blocks and purchased them for public use. The vacation process for these two blocks originated from complaints by OCI who questioned whether vehicles parked on these two blocks were in the street right-of-way, violating City Code, yet making it difficult to enforce. In order for a vacation to be allowed, there must be consent from the two sets of 4 lots on these two blocks that abut 24th Street. Three or four of these lots have garages, which can only be accessed by 24th Street. If the vacation was approved, the appropriately divided property would revert to the respective owner. The City's Traffic/Engineering Department has reviewed this case and there is a concern that if this vacation occurred, in order to gain through access, people would have to drive around to 23rd Street and go around this area. There are five vacation options for the DAB to consider:

1. Vacate both segments by submitting a vacation request to the MAPD, Subdivision Committee, and Planning Commission before final approval by City Council. The cost for this would be \$1,500-\$3,000 per driveway approach or alterations.
2. Retain right-of- way by granting a special permit. This would cost \$972.90/ lot/ year
3. Vacate both blocks, but maintain a 10 to 20 foot right of way for pedestrian use. The application fee to initiate a vacation is \$385 and affected homeowners must sign a petition.
4. Order- in paving
 - a. Set up assessment district (approximately 60 lots)
 - b. Cost would be \$1,500/ lot over 20 years
5. Do nothing and retain the area as it currently is

Public Comment concerning this issue were as follows (*responses in italics*):

- Family has lived on property in this area for 50 years, paying special assessments for a street to be built and trying to keep further development from occurring by attempting to acquire the proposed vacated property, but have not been able to do so.
- Property owners told that they would be charged if the City right-of-way is not mowed. *It is the property owners' responsibility to maintain any City right of way that abuts their property.*
- Not in favor of this vacation because property taxes would be higher because residents would own more land if vacation was approved.
- If the vacation was allowed, could the owners put fences around their property? *If the property is vacated, then these right-of-ways become the residents' property and they can do whatever they want with the property.*
- Taxes have already been paid for street to be placed in this vacation area, where is that money now?
- Many residents have mowed the property from Woodland to Salina, so would prefer to own this if it is required that they take care of this right-of-way.

DAB Members had the following comments and questions on this issue (*responses in italics*): 1.) Need to determine which residents want this property area vacated. 2.) Not sure how the traffic would effect the park at 24th and Woodland 3.) What has been done so far by City Staff to obtain consent from property owners to vacate this area? *Residents were sent notice of this DAB meeting requesting their attendance to get their input on how to proceed with this vacation.* 3.) is this the normal approach to proceed with a vacation? *No, usually property owners initiate a vacation, but OCI has initiated this particular vacation due to City Code violation and enforcement concerns.* 4.) will the property owners have to pay additional taxes if this vacation is approved? *There will be no change in resident taxes, which are based on property sales in area, if the vacation is approved.* 5.) if these streets are paved, does it have to be curb and gutter? *The existing streets already have curb and gutter.* 6.) Will a drainage easement in this area be needed? *Public Works would determine the need for a drainage easement during the approval process for the vacation.* 7.) Do the residents that originally opposed the vacation still oppose it after this discussion? *Yes, one individual would like 24th Street between these two blocks paved with no sidewalk. In order to pave these streets, 51% of property owners must consent. Each City property owner must pay to have two streets paved.* 8.) Can ½ of a block be vacated? *No, because this will cause a fragmented right of way. Can a single block, Burns to Salina, be vacated if all four residents consent to the vacation? Yes, if all residents agree to the vacation.* 9.) Need to make sure that the residents of this area do not want a sidewalk because there is not access for 1200 feet of these two blocks on 24th Street.

*******Action Taken:** The Board recommends the vacation of 24th Street from Burns to Salina. If the residents desire to pave 24th Street from Woodland to Burns, then a paving petition should be initiated. If not, then these residents should determine what further action they would like to take on this issue. (Schreck/Foster, 10-0)

4. Public Works paving order-in process presentation

Rob Yunkin, Engineering/Public Works, presented an informational presentation on options for requesting, petitioning and order-in of unpaved streets so that DAB members can understand the rules and procedures for the City's order-in paving process

Residents can initiate by City Council or through a petition order-in projects. If the area requested to be paved has a large number of residents, it is preferred that the order-in process be initiated through petition. The pavement order-in process has guidelines mandated by State Statutes. Once order-in paving has been requested, Public Works assesses the cost of the project to present to the respective DAB, and then to City Council for final approval if supported by the DAB. Through this process, residents are assessed according to their paving request, such as a driveway entry. Therefore, unless otherwise stated, the area only curbed and guttered. There are 31.96 miles of unpaved street in District VI. The cost to pave a street without drainage is \$130/linear foot and \$150/linear foot with drainage.

Kristi McMinville, Finance, was also present to speak about the Finance Department's role in this process. The Finance Department does the billing and assesses the special improvements for these paving projects. After an order-in paving project is approved, low-income residents affected may be granted deferrals for payment on these assessments and/or other residents may qualify for agricultural use exceptions.

The DAB Members expressed the following concerns (*responses are in italics*): 1.) How is it determined whether drainage is included in the order-in paving process? *Public Works accesses the cost of the pavement project to determine if it is cost efficient to include drainage. Public Works tries to have an accurate first project estimate to avoid excessive change orders.* 2.) are there funds available to subsidize paving streets? *The costs for an order-in paving project are usually assessed to the property owners in the area, but these assessments can be deferred if the resident is low-income. The assessment for paving is included with the property itself, not with owner, so a new owner would assume these assessments if not already fully paid.* 3.) what is the cost to maintain paved streets? *Not sure of the exact costs to maintain a paved street, but it is cheaper to maintain paved surface streets than unpaved streets.* 3.) what determines the use of curb and gutter paving versus blacktop paving? *This decision is determined by the make-up of the area and the will of City Council.*

*******Recommended Action:** Receive and file order-in paving process presentation.

5. **Other Business**

Member Foster asked if there was an update on the concrete zoning case? **Councilmember Fearey** replied the MAPC approved this case, implementing the recommendations made by this Board.

BOARD AGENDA

6. **Update on Portable Storage Containers**

This item has been deferred until the next DAB VI meeting, May 3, 2004.

7. **Problem Properties**

Due to time constraints, no problem properties were presented. DAB members were asked to contact the neighborhood assistant if there are any problem properties that they wish to report.

8. **Neighborhood Reports**

No reports were given.

UPDATES FROM COUNCIL MEMBER FEARY

9. **The Tobacco shop on North Meridian going to the Moorings.**

This case went to court on March 25, 2004 and there has been no update received since this date. There was a plan to build a warehouse at this location and rezone accordingly, but this was not done by the court date.

With no further business to discuss the meeting adjourned at 10: 25 p.m.

GUESTS

Ruth Shue	3906 Garland 67204
Wilma Elston	3942 N. Garland Cir
Harold & Elsie Rankis	1742 W. 37 th Ct.
Keith & Elizabeth Brewer	3826 Friar Ln.
Brad Wooster	2525 W. 36 th North
Mike Hamilton	3715 N. Meridian
Charles & Edie Dvorak	2465 Woodland
Teresa Majors	2462 Salina
Alisa Sarmiento	2502 Salina

Gloria Contreras	2502 Burns 67204
Will & Lisa Noland	2609 W. 36 th St. N. 67204
Rolland Nina Shepherd	2526 W. 34 th N. 67204
Aaron & Carmen Prize	3749 N. Meridian
Rodney & Linda Leach	3759 N. Meridian
Glen Chambers	1430 Nottingham
Mike & Linda Kracke	2457 Burns
James T Tracy	1214 West 34 th St. N. 67204 838-5461
Bill Endecott	1225 W. 34 th St. N. 838-6010
Florence Parish	2458 Burns 838-0698
Jim Freund	3742 Smyser Ct. 838-0675
Amy Coffey	1715 W. 36 th St. N. SGNA
Jacob Coffey	1715 W. 36 th St. N SGNA
Jessika Coffey	1715 W. 36 th St. N. SGNA
Kelsey Coffey	1715 W. 36 th St. N. SGNA
Randa Haynie	4027 N. Friar 67204 Sherwood Glen
Tim & Diane Kristek	3549 N. Meridian Sherwood Glen
<u>TNDKRISTEK1990@Prodigy.net</u> Mail Minutes	
Herb Moyer	2528 W. 35 th St. N. SGNA
Violet Byrd	2612 W. 34 th
Ksu Leach	3759 N. Meridian SGNA
Don Maxey	3810 Garland Sherwood Glen
Clinton Hinman	3910 N. St. Clair Sherwood Glen
Victor Staatz	2501 Burns 67204
Frank Rodriquez	2015 E. 35 th St. N. 67226 N/A fran_58@hotmail.com
Meredith & Debbie Harmon	3602 N. Meridian SGNA
Sharad Doshi	3900 SW Parcington Road Topeka, KS. 66610 doshi@cox.net
Lonnie Myklebust	1900 W. 37 th St. Ct. N. 67204 SGNA (Neighbor)
Jack & Bev Lee	3901 Friar SGNA
Raymond Aczeal	3704 Smyser SGNA
Jerry Prichard	1607 N. Clarence Indian Hills Riverbend N.A.
Carolyn Benitez	3461 Park Place
Andrea Cavgalar	3702 N. Coolidge Minutes
Rolland Shepherd	2526 W. 34 th N. Minutes
Aaron Price	3749 N. Meridian Minutes
Garrett Harmon	3602 N. Meridian 67204 Sherwood Glen N/A

Staff

Rob Younkin	Public Works
Mark Stanberry	Housing
Dale Miller	Planning
John Schlegel	Planning
Lt. Wanda Givens	Patrol North
Off. Luis Franco	Patrol North
Off. Tammie Busher	Patrol South
Kristi McMinnville	Finance
Kelli Glassman	CMO
Terri Dozal	CMO

Respectfully Submitted,

Kelli Glassman
Intern –City Manager’s Office